

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DERRICK SWEETING,	:	Case No. 1:20-cv-251
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
WARDEN RICHARD ERDOS,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 24)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on November 20, 2020, submitted a Report and Recommendation. (Doc. 24). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court finds that the Report and Recommendation (Doc. 24) should be and is hereby adopted in its entirety.

Accordingly, for the reasons stated above:

1. The Report and Recommendation (Doc. 24) is hereby **ADOPTED**;
2. Plaintiff's filing (Doc. 23) is construed as a motion for relief from judgment under Rule 60(b)(6) and **GRANTED**;

3. The Court **VACATES** its decision and entry adopting the report and recommendation (Doc. 21), and the Clerk is **DIRECTED** to vacate its corresponding judgment (Doc. 22); and
4. Plaintiff's filing (Doc. 23) is construed as a motion to extend by sixty days the deadline to object to the report and recommendation and **GRANTED**. Plaintiff shall have up to and including sixty days from the date of this order to file objections to the report and recommendation (Doc. 20).

IT IS SO ORDERED.

Date: 1/27/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge